

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL FRANCISCO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ABENGOA, S.A., SANTIAGO SEAGE,
MANUEL SANCHEZ ORTEGA, BARBARA
ZUBIRIA and IGNACIO GARCIA ALVEAR,

Defendants.

Case No. 1:15-cv-06279 (ER)

**NOTICE OF MOTION TO
DISMISS THE SECOND
AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the Declaration of Jeffrey D. Rotenberg, dated February 28, 2020, the exhibits attached thereto, and the accompanying Memorandum of Law in Support of Motion to Dismiss the Second Amended Complaint, defendant Abengoa, S.A. (“Abengoa”), by its attorneys, DLA Piper LLP (US), will move before the Honorable Edgardo Ramos, United States District Judge of the United States District Court, Southern District of New York, at 40 Foley Square, New York, New York 10007, on a date and at a time designated by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Second Amended Complaint with prejudice and for such other and further relief as the Court deems necessary and proper. The grounds upon which Abengoa seeks relief are set forth in detail in the accompanying Memorandum of Law in Support of Motion to Dismiss the Second Amended Complaint.

Dated: New York, New York
February 28, 2020

DLA PIPER LLP (US)

By: /s/ Jeffrey D. Rotenberg

Richard F. Hans

Jeffrey D. Rotenberg

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